

IN THE MAGISTRATE COURT OF FAYETTE COUNTY  
STATE OF GEORGIA

\_\_\_\_\_  
Plaintiff

\_\_\_\_\_  
vs

\_\_\_\_\_  
MV

\_\_\_\_\_  
Defendant

**AFFIDAVIT FOR SUMMONS OF DISPOSSESSORY**

Personally appeared \_\_\_\_\_, who upon oath says that he is Owner, or (attorney, agent or lessee) for the owner of said premises, and that Defendant is in possession as tenant of premises at the above address in Fayette County.

**Further Tenant:**

- (a) fails to pay the rent which is now past due.
- (b) holds the premises over and beyond the term for which they were rented or leased to him or
- (c) \_\_\_\_\_, and that
- (d) plaintiff is entitled to recover any and all rent that may come due until this action is finally concluded.

Plaintiff desires and has demanded possession of the premises and Defendant has failed and refused to deliver said possession.

**WHEREFORE, Plaintiff DEMANDS:**

- (a) possession of the premises; (b) past due rent of \$ \_\_\_\_\_; (c) rent accruing up to the date of judgment of vacancy at the rate of \$ \_\_\_\_\_ per \_\_\_\_\_;
- (d) court costs of \$ \_\_\_\_\_ and \_\_\_\_\_.

Sworn to and subscribed before me,  
this \_\_\_\_\_, 200\_\_\_\_\_.

\_\_\_\_\_  
Affiant

\_\_\_\_\_  
Deputy Clerk/Magistrate

**SUMMONS**

**TO:** The Constable of the Magistrate Court or Deputy Sheriff

**GREETING:**

The Defendant(s) herein is/are commanded and required personally or by attorney to answer orally or in writing to the Judge or Clerk of Magistrate Court, 1 Center Drive, Room 135, Justice Center, Fayetteville, GA, between 8:00 a.m. and 4:30 p.m. on or before the SEVENTH day from the date of service of the within affidavit and summons (or on the first business day thereafter if the seventh day falls on Saturday, Sunday or legal Holiday). If the answer is NOT made, a Writ of Possession shall issue instanter and judgment shall be granted as demanded by the Plaintiff named herein.

Witness the Presiding Judge of said Court

This \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_\_.

\_\_\_\_\_  
Deputy Clerk/Magistrate

## WRIT OF POSSESSION

GEORGIA \_\_\_\_\_ COUNTY

It appearing to the Court that the Defendant \_\_\_\_\_ was duly served Summons of Dispossession, said case having been called for a hearing and the Defendant failing to appear and failing to answer after being summoned and directed to do so.

IT IS HEREBY ORDERED AND ADJUDGED, that the Lawful Officer of said County remove said Defendant together with his property found thereon from said house and premises and to deliver full and quiet possession of same to the Plaintiff herein.

Dated at \_\_\_\_\_, Georgia, this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
Magistrate

### RETURN OF CONSTABLE OR DEPUTY SHERIFF

GEORGIA \_\_\_\_\_ COUNTY

I have this day served the Defendant \_\_\_\_\_ with a copy of the Affidavit and Summons.

This \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
Deputy Sheriff

\_\_\_\_\_  
Constable

GEORGIA \_\_\_\_\_ COUNTY

I have this day served the Defendant with a copy of the foregoing Affidavit and Summons by delivering a copy of same to a person sui juris residing on the premises designated in said Affidavit said copy containing notice to the defendant to answer on \_\_\_\_\_, 20 \_\_\_\_\_ at the hour and place stated in the Summons.

This \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
Deputy Sheriff

\_\_\_\_\_  
Constable

### ANSWER OF DEFENDANT

This \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, Defendant \_\_\_\_\_

No. \_\_\_\_\_

MAGISTRATE COURT

SUMMONS OF  
DISPOSSESSORY WARRANT

Plaintiff

Address

VS.

Defendant

Address